

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
22-00244-01-CR-W-BP

DERONE D. GIPSON,

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGE: Counts 1, 2, 3: Distribution of Methamphetamine (Actual) Within 1,000 Feet of a Playground *in violation of* 21 U.S.C. §§ 841(a)(1) and 860(a)

Count 4: Conspiracy to Distribute a Controlled Substance *in violation of* 21 U.S.C. §§ 841(a)(1), (b)(1)(A), and 846 and 21 U.S.C. §§ 841(a)(1) and (b)(1)(C)

Count 5: Possession With Intent to Distribute Methamphetamine Within 1,000 Feet of a Playground *in violation of* 21 U.S.C. §§ 841(a)(1), (b)(1)(C), and 860

Count 6: Felon in Possession of a Firearm *in violation of* 18 U.S.C. §§ 922(g)(1) and 924(a)(2)

Count 7: Possession of a Firearm in Furtherance of a Drug Trafficking Offense *in violation of* 18 U.S.C. §924(c)(1)(A)(i)

Count 8: Maintaining a Drug-Involved Premises Within 1,000 Feet of a Playground *in violation of* 21 U.S.C. §§ 856(a) and (b) and 860

Allegation of Criminal Forfeiture

TRIAL COUNSEL:

Government: Sean Foley, Joe Marquez and Paralegal Amy Woody

Case Agent: Detective Trenton Johns, KCPD

Defense: Beau Brindley, with Michael Thompson, subject to admission pro hac vice

OUTSTANDING MOTIONS: Motion in Limine (Doc. 92) – filed by Defendant's previous counsel; new defense counsel will be withdrawing the motion

ANTICIPATED MOTIONS: Government – Motions in Limine; Defendant – Objection to Government's 404(b) Notice

TRIAL WITNESSES:

Government: 9 with stipulations; 14-16 without stipulations

Defense: 4 witnesses, including Defendant who

will
 may
 will not testify

TRIAL EXHIBITS:

Government: 100 exhibits

Defense: no additional exhibits identified at this time

DEFENSES:

defense of general denial
 defenses of general denial and _____

POSSIBLE DISPOSITION:

Definitely for trial Possibly for trial
 Motion to continue to be filed Likely a plea will be worked out

TRIAL TIME: 3 days

Government's case including jury selection: 2.5 days

Defense case: .5 days

STIPULATIONS:

not likely
 not appropriate
 likely as to:
 chain of custody
 chemist's reports
 prior felony conviction
 interstate nexus of firearm
 other: within 1,000 feet of a playground
 pre-admission of exhibits

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit Lists:

Government: August 30, 2024

Defense: August 30, 2024

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: August 30, 2024
Jury instructions must comply with Local Rule 51.1

Motions in Limine: August 30, 2024

TRIAL SETTING: Criminal jury trial docket commencing September 16, 2024

Please note: The Government requests the first week of the trial docket as a witness is unavailable from September 23-26, and Government counsel has a personal conflict during the second week of the docket. Defense counsel requests the second week of the docket as he is representing corporate officers in a criminal case scheduled for trial during the first week of the docket in federal district court in California, though a plea in that case seems likely. The parties may also be able to stipulate to the testimony of the witness who is unavailable during the second week of the docket.

OTHER:

() A _____ -speaking interpreter is required.
() Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris _____
JILL A. MORRIS
United States Magistrate Judge